



## COMMONWEALTH of VIRGINIA

### *Department of Mines, Minerals and Energy*

Ninth Street Office Building / 8<sup>th</sup> Floor  
202 North Ninth Street  
Richmond, Virginia 23219-3402  
(804) 692-3200 FAX (804) 692-3237  
[www.dmme.virginia.gov](http://www.dmme.virginia.gov)

For Immediate Release

August 9, 2006

Contact: Mike Abbott (276) 523-8146

### **Fines, Jail Time, Injury or Death:**

#### **Illegal entry onto mine property offers trespassers only bad outcomes**

**Big Stone Gap, VA** – Unauthorized entry into an active or abandoned mine is not only foolhardy and extremely dangerous, it is illegal. Especially if the purpose of entering mine property involves stealing – be it scrap metal, copper or equipment.

“On the other hand, if the threat of prosecution from illegal trespassing or theft of mine property doesn’t concern you, the likelihood that you may be seriously injured or killed by mine hazards should,” said Department of Mines, Minerals and Energy Division of Mines Chief Frank Linkous. “If individuals intent on trespassing onto mine property don’t care about themselves, they should at least care about their families and those people who will be called upon to risk their lives to conduct rescue or recovery operations when the worst happens.”

Incidents in Virginia this week and West Virginia last week have illustrated the hazards of unauthorized entry onto mine sites and the strain it can put on local law enforcement and emergency services crews, state and federal mine safety agencies and mine rescue teams. And, while the outcome fortunately didn’t involve injury or death, charges are pending against the individuals involved in both cases.

Two males entered a Buchanan County, VA, mine near Hurley Sunday evening reportedly seeking mine supplies. The mine is licensed but has been inactive and temporarily abandoned with no mining activity since November 1997. Although the mine portals were fenced to prevent illegal entry and posted with warning signs, a portion of the fencing had been removed.

When the two men had not come out of the mine at a predetermined time, a family member contacted the Buchanan County Sheriff’s Department around 10 p.m. stating that they had been missing for five

hours. The Sheriff's office notified local fire and emergency medical services authorities and the mine operators, as well as state and federal mine safety officials, all who responded to the scene. Two mine rescue teams were put on standby by state mine safety officials. As this response was in progress, one of the mine owners entered the mine and located the two individuals, one of whom is a teenager. The mine owner brought them out of the mine around 11:34 p.m., where they were checked out by EMS crews and advised by the Sheriff's Department that they would be facing charges for criminal trespassing, and grand larceny.

State officials were relieved that their worst fears had not been realized. "Initial reports indicated that two people had entered the mine and when they failed to come out, three other people had entered the mine to find them. We were concerned that all five of the people may have encountered "black damp," a condition where the mine atmosphere has been depleted of oxygen," said Linkous. "Had that been the situation, the rescue teams would have been recovering bodies. We are relieved that was not the case, but we are concerned that the reckless behavior of a few people resulted in wasting the time, effort and expense necessary to marshal local, state and federal emergency response and mine rescue resources."

The bottom line according to state mine safety officials is that active and abandoned mine sites are off-limits to unauthorized visitors for many good reasons. Those seeking adventure or recreation put themselves at risk from a host of hazardous conditions such as poisonous or explosive gases and mine roof collapses in underground mines and falls from unstable highwalls or drowning in mine pits or water-filled quarries on surface mines. The theft of copper from active mine sites pose electrocution hazards and may put mine employees at risk who return to work unaware that electrical equipment has been tampered with.

Fines, jail time, injury or death - Illegal entry onto mine property offers trespassers only bad outcomes. Please contact the Department of Mines, Minerals and Energy at (276) 523-8206 or the federal Mine Safety and Health Administration at 1-800-499-1038, to report problems with unauthorized visitation to active or abandoned mine sites.

# # #